

III. REMARKS

Claims 1-12 are pending in this application. By this Amendment, claims 2, 5, and 8 have been amended and claims 10-12 have been added. Reconsideration in view of the above amendments and the following remarks is respectfully requested.

Applicants do not acquiesce in the correctness of the rejections or objections and reserve the right to present specific arguments regarding any rejected or objected-to claims not specifically addressed. Further, Applicants reserve the right to pursue the full scope of the subject matter of the claims in a subsequent patent application that claims priority to the instant application.

In the Office Action, claims 5 and 8 are rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. Specifically, the Office alleges that claims 5 and 8 lack antecedent basis for “skipping the following placing step” and “skipping the following setting step,” respectively. Each of claims 5 and 8 have been amended to provide antecedent basis. Accordingly, Applicants respectfully request withdrawal of the rejection.

In the Office Action, claims 1, 2, and 4 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 5,999,541 to Hinchey *et al.* This rejection is respectfully traversed. Applicants assert that the Office has misinterpreted Hinchey *et al.* Specifically, Applicants assert that Hinchey *et al.* discloses members of the Token Ring LAN, *e.g.*, client computer 24 (FIG. 1) that are not physically connected to a shared transmission medium, as recited in each of claims 1 and 2. Rather, each member of the Token Ring LAN, as well as devices that are not members of a Token Ring LAN, are connected to an Ethernet switch 18 (FIG. 1). This is a configuration specifically eschewed in the present application. *See, e.g.*, page 3, lines 4-17. Unlike Hinchey *et al.*, in the present invention, as shown in FIG. 2, members of

the Token Ring (e.g., stations 201, 202, 203) as well as devices not included in a Token Ring (e.g., station 204) are each physically connected to the shared transmission medium 210. Claim 2 has been amended to more clearly recite this distinction. Accordingly, Applicants respectfully request withdrawal of the rejection.

In the Office Action, claim 3 is rejected under 35 U.S.C. § 103(a) as allegedly being obvious in view of Hinchey *et al.* This rejection is respectfully traversed. Applicants assert that the argument above regarding claims 1, 2, and 4 is equally applicable to claim 3. Accordingly, Applicants respectfully request withdrawal of the rejection.


In the Office Action, claims 5 and 9 appear to be rejected under 35 U.S.C. § 103(a) over Hinchey *et al.* (and apparently in further view of U.S. Patent No. 5,404,424 to Zhao *et al.*). This rejection is respectfully traversed. Applicants assert that the argument above regarding claims 1, 2, and 4 is equally applicable to claims 5 and 9. Accordingly, Applicants respectfully request withdrawal of the rejection.

Applicants acknowledge and appreciate the Office's indication that, while objected to, claims 6-8 would be allowable if rewritten in independent form. However, as explained above, Applicants assert that Hinchey *et al.* fail to teach stations physically connected to a shared transmission medium. Therefore, claim 2, as amended, and claims depending therefrom, including claims 6-8, are each allowable. Accordingly, Applicants assert that amendments to claims 6-8 are unnecessary and respectfully request withdrawal of the objection.

New claims 10-12 recite the limitations of each of claims 6-8 rewritten in independent form.

In view of the foregoing, Applicants respectfully request withdrawal of the rejection, and allowance of the application. Should the Examiner require anything further from Applicants, the Examiner is invited to contact Applicants' undersigned representative at the number listed below.

Respectfully submitted,



Ronald A. D'Alessandro
Reg. No. 42,456

Date: 7/8/05

Hoffman, Warnick & D'Alessandro LLC
Three E-Comm Square
Albany, New York 12207
(518) 449-0044
(518) 449-0047 (fax)

10/076,901

- 11 -